

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

VERSUS

CRIMINAL ACTION NO. 2:04CR113-P-B

DONALD RAY TERRY

DEFENDANT

ORDER

This cause is before the Court on the defendant's Motion for Continuance [41-1]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for July 18, 2005. Counsel for defendant avers that he has had insufficient time to devote to trial preparation due to his trial obligations in other matters and for other reasons articulated in the motion. He seeks a continuance in order to ensure proper attention to trial preparation. The government does not oppose the requested continuance.

These circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from July 18, 2005 until the new trial date to be set in this matter.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance [41-1] is GRANTED;
2. That the trial of this matter is continued until Monday, September 19, 2005 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire is to be held at the same time and place;
3. That the delay from July 18, 2005 until September 19, 2005 is excluded as set out

above;

4. That the deadline for filing pretrial motions is August 29, 2005;
5. That the deadline for submitting a plea agreement is September 5, 2005.

SO ORDERED, this the 30th day of June, 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE